

IN THE MUNICIPAL COURT OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL, CITY OF McMINNIVILLE

City of McMinnville

Case No: _____

v.

**MOTION TO EXTEND DUII DIVERSION
PERIOD,
and DECLARATION IN SUPPORT**

Defendant

MOTION

I am the defendant in this case and I ask the court to extend my diversion agreement for _____
(insert time that is not longer than 180 days; however, if you are active military personnel, then insert time that will allow you to complete the diversion agreement)

DECLARATION IN SUPPORT

1. I have made a good faith effort to complete the conditions of the diversion agreement
 - a. I have completed the following conditions of the diversion agreement:

 - b. I have not completed the following conditions of the diversion agreement:

 - c. I have not completed the diversion conditions listed in "b" above because (explain):

2. I will be able to complete the conditions of the diversion agreement within the extended period because (explain):

3. I have not asked for or been granted any previous extension of the diversion agreement under ORS 813.225 (except as necessary to accommodate military service)
4. I understand that:
 - a. If I fully comply with the conditions of the diversion agreement within the extended diversion period, the court may dismiss the charge with prejudice if I file a motion under ORS 813.250
 - b. If I fail to comply with the diversion agreement within the extended diversion period, the court will enter a judgment of conviction on the DUII charge and proceed to sentence me without a trial
5. I am a member of the Armed Forces of the United States, the reserve components of the Armed Forces of the United States, or the National Guard. I have been called to active duty or received orders that I will be called to active duty. The military service will prevent me from completing the conditions of the diversion agreement and no comparable treatment program is available because (explain):

I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.

Date Signature Name (typed or printed)

Address City/State/Zip Phone Number